

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14372 of the Sisters of Providence of Saint Mary's-of-the-Woods, Inc., as amended, pursuant to Sub-section 8207.2 of the Zoning Regulations., for a special exception under Paragraph 3101.46 for the American University to use the subject site as the campus of its Washington Semester and Study Abroad Program in an R-1-B District at premises 4344 Wisconsin Avenue, N.W. (Square 1728, Lot 1).

HEARING DATE: December 18, 1985, May 14, 1986

DECISION DATE: June 4, 1986 and March 24, 1987

DISPOSITION: The Board GRANTED the application by a vote of 5-0 (Lindsley Williams, Charles R. Norris, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to grant). The Board APPROVED a MODIFICATION of PLANS by a vote of 5-0 (Lindsley Williams, Charles R. Norris, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to approve).

FINAL DATE OF ORDERS: September 10, 1986 and July 10, 1987

ORDER

The Board granted the application subject to fifteen conditions by its Final Order dated September 10, 1986. By its Order dated July 10, 1987, the Board approved a modification of the plans originally approved by its Order dated September 10, 1986. By letter dated May 22, 1990, counsel for the applicant requested the Board to waive the provisions of 11 DCMR 3335 in order to accept a motion for modification of plans more than six months after the effective date of the final order. The request to waive the six month filing requirement is necessitated because the applicant believed that the modification requested was part of the Board's approval. The applicant was not made aware that a building permit could not be issued on the basis of the Board's approval until May, 1990. At its public meeting of June 6, 1990, the Board waived its Rules to accept the motion for modification of plans.

The proposed modification of plans would entail the addition of a mezzanine level in the existing gymnasium building known as Regina Hall to permit the conversion of

the building from gymnasium use to administrative office space. The proposed addition would provide approximately 6,200 square feet of additional floor area. The proposed addition is completely interior. No exterior modifications are contemplated by the applicant. The use of the structure for office space for approximately forty professionals and twenty support staff was included in the applicant's original presentation, however, the Board made no specific findings or conditions relative to the proposed interior modification to the building necessary to adapt the structure for office use. There was no opposition to the proposed modification of plans.


Upon review of the proposed modified plans, its final orders, and the record in the application, the Board concludes that the proposed modification is minor in nature and does not change the proposed configuration or use of the structure as originally considered by the Board. The material facts relied upon by the Board relative to the original application are unaffected by the proposed interior modifications. No additional zoning relief is required.

It is therefore ORDERED that the MODIFICATION of PLANS is APPROVED and that the plans marked as Exhibit No. 98B of the record shall be substituted for the relevant portions of the plans previously approved by the Board. In all other respects, the order of the Board shall remain in full force and effect.

DECISION DATE: June 6, 1990

VOTE: 3-0 (Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to approve; Paula L. Jewell not present, not voting; Lindsley Williams not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 

EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: JUN 22 1990

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF D.C. LAW 2-38,

AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OF REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14372order/LJP62

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APPLICATION/APPEAL NO. 14372

As Executive Director of the Board of Zoning Adjustment Adjustment, I hereby certify and attest to the fact that a copy of the Order in this application/appeal dated JUN 22 1990 has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

David E. Yudin, Esq.
1707 H Street, N.W.
Wash, D.C. 20006

Stephen Raiche, Chairperson
ANC 3E
P.O. Box 9953, Friendship Station
Wash, D.C. 20016

David M. Pitcher, Esq.
Stass & Halsey
1825 K Street, N.W.
Wash, D.C. 20006

Joseph D. Murphy, Chairperson
ANC 3D
P.O. Box 40846
Wash, D.C.

William M. Garbose, Esq.
Linowes & Blocher
800 K St., N.W. Ste. 840
Wash, D.C. 20001

Charles Knauss
4322 42nd St., N.W.
Wash, D.C. 20016

Erling Hansen
4522 Butterworth St., N.W.
Wash, D.C. 20016

Richard A. Graham
1920 N St., N.W., #710
Wash, D.C. 20036

A handwritten signature in dark ink, appearing to be "E. Curry", written over a horizontal line.

EDWARD L. CURRY
Executive Director

DATE: JUN 22 1990